

BEFORE THE  
DIVISION OF ALLIED HEALTH PROFESSIONS  
BOARD OF MEDICAL QUALITY ASSURANCE  
PHYSICIAN'S ASSISTANT EXAMINING COMMITTEE  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation  
Against:

Jo Ann E. Mc Neal  
Applicant.

No. R-6

Respondent.

DECISION

The attached Stipulation  
is hereby adopted by the Physician's Assistant Examining  
Committee as its Decision in the  
above-entitled matter.

This Decision shall become effective on January 19, 1987.

IT IS SO ORDERED December 18, 1986.



FRED CAGLE  
Chairperson

1 JOHN K. VAN DE KAMP, Attorney General  
2 of the State of California  
3 WILLIAM L. MARCUS  
4 Deputy Attorney General  
5 3580 Wilshire Boulevard  
6 Los Angeles, California 90010  
7 Telephone: (213) 736-2074

8 Attorneys for Complainant

9 BEFORE THE  
10 PHYSICIANS' ASSISTANT EXAMINING COMMITTEE  
11 BOARD OF MEDICAL QUALITY ASSURANCE  
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation  
14 Against:

15 JOANN E. McNEAL  
16 10631 So. Crenshaw Blvd.  
17 Apartment 5  
18 Inglewood, California 90303,

19 Applicant.

20 ) STIPULATION FOR  
21 ) SETTLEMENT

22 ) R-6  
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IT IS HEREBY STIPULATED by and between applicant,  
in pro per, and the Assistant Executive Officer of the  
Physicians' Examining Committee, by and through its attorney,  
John K. Van De Kamp, Attorney General, by William L. Marcus,  
deputy attorney General, as follows:

1. Any and all stipulations, admissions and recitals  
contained in this stipulation are made solely for the purpose  
of resolving the within matter and shall be of no force and  
effect in any other proceeding.

2. Joann E. McNeal (hereinafter "applicant") has  
applied for licensure as a physicians' assistant with the

1 Physicians' Assistant Examining Committee. Said application  
2 is currently pending.

3 3. Applicant has been advised of and understands  
4 her right to obtain an attorney at her own expense; applicant  
5 has waived that right and has chosen to represent herself in  
6 this matter.

7 4. Applicant is aware of and understands that but for  
8 this stipulation, a Statement of Issues would be filed formally  
9 challenging applicant's right to obtain a license as a  
10 physicians' assistant.

11 5. Applicant is aware of and understands that she has  
12 the right to have formal written charges (the statement of  
13 issues) filed against and served upon her, has the right to  
14 request and have a formal, Administrative Procedures Act  
15 hearing, at said hearing has the right to confront and cross-  
16 examine witnesses against her, to challenge the relevance or  
17 dispute the legal significance of any evidences, oral or  
18 written, offered against her, to testify in her own behalf, to  
19 produce witnesses and evidence on her own behalf, to appeal  
20 any adverse decision to the courts, and to any all other  
21 rights under the Administrative Procedure Act and the Code  
22 of Civil Procedure.

23 6. Applicant waives each and every right set out in  
24 paragraph 5 above.

25 7. Applicant acknowledges that Deputy Attorney General  
26 William L. Marcus has explained each and every term of this  
27 stipulation to her in the letter with which this stipulation

1 was transmitted to her and that she understands the nature,  
2 terms and effect of this stipulation on her and her ability  
3 to practice as a licensed physicians' assistant.

4 8. Applicant admits that in or about April and May  
5 1985, applicant did the following:

6 A. Altered the expiration date on her Interim  
7 Approval card from April 1, 1985, to July 1, 1985.

8 B. Practiced as a physicians' assistant in or  
9 about April and May 1985 knowing her Interim Approval  
10 card had expired on April 1, 1985, and had not been  
11 renewed.

12 9. Applicant admits, stipulates and agrees that  
13 the conduct set out in paragraph 8 above is grounds for denial  
14 of her application to be a physicians' assistant under  
15 Business and Professions Code sections 480(a)(2) and 480(a)(3)  
16 and 3527(a), taken in conjunction with Business and Professions  
17 Code sections 2052 and 3502.

18 10. Applicant, based on the above stipulations and  
19 admissions, agrees that the Physicians' Assistant Examining  
20 Committee may impose the following order on her:

21 Applicant is granted a license to practice as a  
22 physicians' assistant, provided that said license shall be  
23 revoked, with the revocation stayed and with applicant being  
24 placed on probation for a period of three (3) years on the  
25 following terms and conditions:

26 A. Applicant shall, within thirty (30) days of  
27 the effective date of this stipulation, notify the

1 Physicians' Assistant Examining Committee of the name  
2 and address of any facility or individual for whom she  
3 is working and the name and title of her supervisor.  
4 Should applicant obtain new or different employment as  
5 a physicians' assistant, applicant shall provide the  
6 same information to the Committee within fifteen (15)  
7 days of obtaining said employment.

8 B. Applicant shall obey all federal, state and  
9 local laws, and all rules governing the practice of  
10 medicine, including the rules of the Physicians'  
11 Assistant Examining Committee.

12 C. Applicant shall submit quarterly declarations  
13 under penalty of perjury on forms provided by the Division,  
14 stating whether there has been compliance with all the  
15 conditions of probation.

16 D. Applicant shall comply with the Division's probation  
17 surveillance program.

18 E. Applicant shall appear in person for interviews  
19 with the Committee's consultant upon request at various  
20 intervals and with reasonable notice.

21 F. In the event applicant should leave California  
22 to reside or to practice outside the State, applicant  
23 must notify the Committee in writing of the dates of  
24 departure and return. Periods of residency or practice  
25 outside California will not apply to the reduction of this  
26 probationary period.

1 G. Upon successful completion of probation, applicant's  
2 certificate will be fully restored.

3 H. If applicant violates probation in any respect,  
4 the Committee, after giving applicant notice and the  
5 opportunity to be heard, may revoke probation and carry  
6 out the disciplinary order that was stayed. If an  
7 accusation or petition to revoke probation is filed against  
8 applicant during probation, the Committee shall have  
9 continuing jurisdiction until the matter is final, and  
10 the period of probation shall be extended until the matter  
11 is final.

12 I1. Should the Committee, for any reason, fail or refuse  
13 to adopt this stipulation it shall be of no force or effect as  
14 to either party.

15 ACKNOWLEDGMENT

16 I understand that by this stipulation I waive all rights  
17 to a formal, disciplinary proceeding and hearing, accept that  
18 this stipulation will be final and binding on me when adopted  
19 by the Physicians' Assistant Examining Committee, and agree to  
20 accept the conditions on my license, including that, in the  
21 event I violate probation, the Committee may, after written  
22 notice and, if I request it, a hearing, revoke my license. I

23 /

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26 /

1 freely, voluntarily, intelligently and knowingly enter into  
2 this stipulation.

3  
4 Dated: Sept. 30, 1986

Joanne E. McNeal  
JOANNE E. MCNEAL  
Applicant

JOHN K. VAN DE KAMP  
Attorney General

9  
10 Dated: Oct. 2, 1986

William L. Marcus  
WILLIAM L. MARCUS  
Deputy Attorney General  
Attorney for Complainant

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